

Since that day, part D has never failed to disappoint its supporters and its detractors.

First, we learned that part D would cost almost twice as much as Congress was originally told. Next came the confusing enrollment process. So many seniors had no place to turn.

In New York seniors had 46 plans to choose from. Seniors recruited their children and grandchildren and their Congress people to help them navigate the confusing on-line application process, but they had problems figuring out which plan was the right plan for them.

While hosting town hall meetings on part D last year, I encountered many seniors who were thinking about not even enrolling in a plan because the process was just too confusing.

Today, many seniors are locked into plans that offer too little or too much coverage. Part D's faults are compounded by the fact that seniors were locked into their plans for a year. But providers could drop certain drugs from their plans without consequences.

Finally, after months of confusion, seniors are finally getting some relief on prescription drugs. But not as much as they could be. Medicare still isn't allowed to negotiate prices with drug companies like the VA can. And seniors can't reimport drugs from Canada to reduce costs either.

But part D's biggest problem is about to emerge. Many seniors are about to discover the plan's doughnut hole.

Mr. Speaker, the doughnut hole most people didn't understand, but it is the gap in the coverage that part D enrollees face when they purchase \$2,250 worth of prescription drugs in a year. Once seniors hit the doughnut hole, they will have to pay for their next \$3,100 worth of prescription drugs. Only after paying that money will their coverage continue. The saddest part of the doughnut hole is that a great many of the seniors aren't even aware that it exists.

We thought, in my district anyhow, that it would be late August before people would start reaching the doughnut hole. Unfortunately, in my area, we are getting the phone calls now. And since Medicare isn't allowed to negotiate with drug companies, seniors will pay the usual inflated prices for their drugs while they struggle to come out of the doughnut hole.

So soon many seniors will be back in the same predicament they were before part D. Some will have to decide whether to pay their bills or purchase prescription drugs. Others will put their health at risk by reducing their dosage in order to afford their medication. And many will have to spend their way out of the doughnut hole every year for the rest of their life.

The doughnut hole isn't just the result of bad legislation, it is a threat to our public health. Seniors will take less drugs than they are prescribed to avoid falling into the doughnut hole.

Part D penalizes seniors who take a lot of medication. Seniors essentially

get fined over \$3,000 for buying prescription drugs they need. It is absolutely absurd.

It is time to fix part D. It is time for a prescription drug plan that puts the interests of our seniors and the disabled before the interests of big drug companies.

Mr. Speaker, let's start listening to the seniors who attend part D town hall meetings on Long Island and across the country, instead of drug lobbyists.

In the next few weeks, thousands of seniors will be getting an unexpected bill for more than \$3,000 for Medicare. Let's fix part D.

It is time for a simple, affordable and guaranteed prescription drug plan for our seniors. Part D has caused nothing but headaches for seniors since Day 1. And now it threatens to penalize them for taking their medication.

Mr. Speaker, it is a shame that we couldn't have worked bipartisanship, because I actually do think that we could have solved this problem by working together. Unfortunately, politics got in the way of policy.

I was hoping, as I held my seminars in my district, I did not come out and say anything negative. I said, I am here to help you get through it. It is the law of the land, and I will continue to do that. But to put our seniors through this is wrong.

We should come up with a better idea. We should fix Medicare. We should make it easier for our seniors.

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#### REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON S. 250, CARL D. PERKINS CAREER AND TECHNICAL EDUCATION IMPROVEMENT ACT OF 2006

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 109-598) on the resolution (H. Res. 946) waiving points of order against the conference report to accompany the bill (S. 250) to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act, which was referred to the House Calendar and ordered to be printed.

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#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5682, UNITED STATES AND INDIA NUCLEAR COOPERATION PROMOTION ACT OF 2006

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 109-599) on the resolution (H. Res. 947) providing for consideration of the bill (H.R. 5682) to exempt from certain requirements of the Atomic Energy Act of 1954 a proposed nuclear agreement for cooperation with India, which was referred to the House Calendar and ordered to be printed.

#### SUNSET COMMISSION LEGISLATION

Mr. GARRETT of New Jersey. Mr. Speaker, I ask unanimous consent to claim my time out of order.

The SPEAKER pro tempore. Without objection, the gentleman from New Jersey is recognized for 5 minutes.

There was no objection.

Mr. GARRETT of New Jersey. Mr. Speaker, I come to the floor of the House again this Tuesday evening as part of the weekly Congressional Constitution Caucus efforts to highlight the Federal Government's limited powers as defined by the United States Constitution, specifically, the 10th amendment of our cherished Bill of Rights.

And I would also like to take this time to thank the gentlemen from Texas and Kansas for their efforts, the gentlemen, Mr. BRADY and Mr. TIAHRT, who have been leaders on the topic that I am going to discuss briefly, and that is the need for an independent body and procedures to review the merits of the many, many Federal programs that the American taxpayer has to pay for.

In light of our high taxes and even higher deficit, the time for increased efficiency couldn't be greater than today. The American worker is working harder than he should be, sending too much of his hard earned dollars down here to the Federal Government, only to see it wasted on layers and layers of redundancy and red tape and bureaucracy.

And so for that reason, I am here tonight to show my support for Mr. TIAHRT's H.R. 5766 and Mr. BRADY's H.R. 3282, which are going to be scheduled for a floor vote later this week on Thursday.

Due to these gentlemen's efforts, we have legislation they have drafted, they have set up a process of reviewing the effectiveness of Federal programs. It is a simple concept to make sure that the Federal Government is as efficient as it could be, in essence, to reduce the amount of time and energy that the American worker has to work, and the money that he has to send from his paycheck down here to Washington.

It is no secret that there are many Federal programs that are simply not serving the American public. There are programs that are duplicative, that are no longer necessary, that simply waste taxpayers dollars. The taxpayer currently works 192 days just to pay for his share of the Federal Government spending. That is just about a week ago they finished working that, and now you are working for yourself. So we are simply asking our constituents to put in a few less hours under these bills to help them to keep more of their money in the Federal budget.

It was Ronald Reagan once said that the closest thing to immortality that he would ever find here on earth is the Federal program. Well, we are trying to end that and make sure that some of

these programs actually end and become mortal.

These programs have survived because, well, in part, because there is a special interests, a cottage industry has grown up, and they live off the taxpayers' largesse.

But Mr. Speaker, Members of Congress are not here to represent special interests. We are here to work for the hard working mother and father who send their tax dollars here when, instead, they would like to keep that for their own homes and their own children.

My friends from Texas and Kansas have taken this initiative to craft those legislations to set up procedures to review the bureaucracy and it is one of the top priorities of myself and the members of the Congressional Constitution Caucus to see that this legislation is put into place.

I have had the opportunity to work with Mr. TIAHRT and Mr. BRADY on this legislation to make recommendations to them. I have worked with them as well, and as members, the gentleman from Utah as well sits here on the floor as well, to make recommendations to make these programs have teeth, because you see, they are already outside organizations that are simply reviewing what the Federal Government does, looks at the efficiency. There is already those outside organizations that can tell Congress what do in a more efficient manner. We have got to make that you if we pass legislation, that these new procedures will actually have teeth and make sure that they are implemented and actually reduce the size and scope of the Federal Government.

One of the suggestions that has been incorporated into Mr. TIAHRT's bill, which I think will do well to move along and add the teeth to it, is simply to add a criteria to the legislation, one to review the duplicity and the efficiency of the Federal programs, and to see whether or not current Federal programs are constitutional; that is to say, do they meet specifics limited enumerated powers that any child in this country could find in Article I, section 8. Thus we ensure that all Federal programs have a constitutionally acceptable and not outside the intended limited size and scope of the Federal Government.

So I greatly appreciate the gentlemen from Texas and from Kansas for their work in this matter.

I also would like to take this time to thank the gentleman from Utah sitting to my right for all of his work in making sure that the American public and Congress continues their focus on the Federal Government and the Constitution and his efforts as far as bringing this attention to the public each Tuesday.

And I close, as we leave the Chambers this week to go back to our districts, as part of our district work period for Congress to encourage the American public to do what other

Members have done on this floor as well, to read the Constitution, to look to the limitations that the Founding Fathers have instilled into it.

□ 1900

And I close with this quote from Thomas Jefferson, which he stated February 15, 1791: "To take a single step beyond the boundaries specifically drawn around the powers of Congress" in the Constitution "is to take possession of a boundless field of power, no longer susceptible to any definition."

Mr. Speaker, the Founders intended that the Constitution would set those parameters, and I encourage this House to abide by them.

The SPEAKER pro tempore (Mr. BOUSTANY). Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### THE COST OF PRESCRIPTION DRUGS

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to take the place of the gentleman from California (Mr. GEORGE MILLER) in the order.

The SPEAKER pro tempore. Without objection, the gentleman from Ohio is recognized for 5 minutes.

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, 3 years ago today, the House of Representatives issued a declaration of independence from the powerful drug lobby. A tripartisan majority, lots of Members of both the Republican and Democratic Parties and the Independent from Vermont (Mr. SANDERS), a tripartisan majority in the House passed legislation giving Americans access to safe, effective, and affordable medicine imported from Canada and other allied nations. Several of us in this body have over the years, and I began doing this 7 or 8 years ago, taken seniors from our districts, and I live in northern Ohio, up through Detroit into Windsor, Ontario, to buy prescription drugs at half or a third the price that Americans pay because Canada has found a way to negotiate directly with the drug industry and bring the prices down, saving, as I said, one half, two-thirds, three-fourths of the cost for prescription drugs.

Our Congress, particularly the Republican majority, because it is so in thrall to the drug companies and so addicted to campaign contributions from the drug industry, have failed to do any of that until 3 years ago when that tripartisan majority in the House passed that legislation, giving Americans access to less expensive drugs, drugs imported from Canada and other nations that have a safe, predictable process that they are able to retail their drugs.

But Senate Majority Leader BILL FRIST has never scheduled a floor vote in the Senate. Not 3 years ago, when we passed this bill; not 2 years ago; not last year, not this year. And the American people continue to pay two and three and four times the cost of prescription drugs that we should have to pay, that the Canadians pay, that the French pay, that the Germans pay, that the Japanese or the Israelis or the Brits pay.

Every day we delay, American consumers are paying as much as five times more than consumers in these other nations are paying for the same drugs, the same packaging, the same drug maker, the same everything. Every day we delay, the skyrocketing cost of prescription drugs makes it harder for American businesses to provide health insurance for their workers. Every day we delay puts American manufacturers at a competitive disadvantage as rising drug prices drown them in health care costs. And every day we delay puts the health of American consumers at risk as they are forced to split their pills, skip their doses, and make the heart-breaking choice between medicine and food or between medicine and heat in the winter or between medicine and air conditioning on hot summer days like we have seen.

And every day we delay increases the burden on American taxpayers as drug prices drive up the cost of Medicare, drive up the cost of Medicaid, drive up the cost of other public sector health programs.

We should have sent President Bush an importation bill 3 years ago. It is not too late. We can still deliver for the American people if the Republican leadership in this House and if the Republican leadership in the Senate will commit to floor votes on importation legislation before the end of this year.

Three years is too long to wait. It is time for leadership, for a change, to stand up to the drug lobby and to take a stand for American families, for American businesses, for America as a country.

#### FEDERAL GOVERNMENT WASTE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. BISHOP) is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Speaker, as many here in the body know, I am an old high school history teacher. And not content simply to teach history in the classroom, I organized different programs for my students. Having worked in the State legislature, I came up with an internship program. So I took kids to the Utah legislature, where they worked for a week as we organized the program, their jobs, their housing, their supervision at night. I organized an oral history program for our school. I organized a Renaissance festival.

Tired of only kids in athletic programs getting scholarships, we raised